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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/090,312	03/06/2002	Sergiy Androsyuk	WH 11 429US	6645

24962 7590 03/24/2004

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EXAMINER

NOLAND, KENNETH W

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/090,812

Applicant(s)

ANDROSYUK ET AL.

Examiner

Kenneth w Noland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-9 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. The application has been reconsidered and withdrawn from issue in order to apply the following rejection:

2. Claim 2 is rejected under 35 USC 112, second paragraph because it is not clear if claim 2 requires the structure of a spring wherein claim 3 refers to "said spring bias".

Claim 2 should be modified to read -- a spring bias arrangement -- to clarify that a spring is part of the bias arrangement of claim 2 as supported by the language of claim

3. Correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zouzoulas ('249') in view of either Hardigg et al or Brayshaw.


Zouzoulas again shows in figure 5 the bank note cassette 20 having the rectangular case with a slot 227 and the handle 206. To modify Zouzoulas' handle for one which is foldable and biased in a stored position would be obvious in view of either the teachings of Hardigg et al's foldable handle also biased in a stored position (see the abstract) to effect a reduced size for shipment purposes or in view of the teachings of Brayshaw's foldable handle which is also spring biased to a stored position (see col. 2, lines 24, 25) to also effect a more compact size for shipment.

5. If the indefiniteness of claim 2 is corrected above, then claim 3 would be considered allowed if rewritten in independent form.

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6. claims 4-9 are allowed.
7. Wheary, Jr. is cited disclosing another type of spring-biased handle.
8. The application has been reviewed from a random selection of applications. The reviewer considered amended claim 2 to be broad with respect to the recitation of the foldable handle movable to a "lockable operating position". This recitation was considered merely directed to a functional capability and not to the specific locking operating, as recited in claim 3. As such the functional capability of "lockable operating position" is not given any weight and claim 2 more directly recites a foldable handle with a spring bias arrangement for the stored position.

Noland/hy
February 24, 2004


KENNETH W. NOLAND
PRIMARY EXAMINER
A.U. 3683